

**Remarks:**

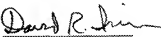
**Regarding claim rejections under 35 USC 101:** Applicant's claims 1-9 and 11-21 stand rejected under 35 USC 101 as being directed to non statutory subject matter. With this paper, Applicant cancels claims 1-9 and 19-21. Applicant respectfully traverses the rejection of claims 11-18, for at least the following reason: Claims 11-18 depend on claim 10, and include all of the limitations of claim 10. Examiner has found claim 10 to be in compliance with 35 USC 101; therefore, claims 11-18 must also comply with 35 USC 101. Applicant respectfully asks Examiner to reconsider and withdraw the rejections of claims 11-18 under 35 USC 101.

**Regarding claim rejections under 35 USC 103:** Applicant's claims 1-3, 10-12, and 19-21 stand rejected under 35 USC 103 (a) as being unpatentable over Kaufer (US 6,519,763) in view of Weller ("Using Metrics to Manage Software Projects"). With this paper, Applicant cancels claims 1-9 and 19-21. This leaves independent claim 10 and its dependent claims 11-18.

Applicant sincerely appreciates Examiner's observation regarding the formula of claim 13, and with this paper amends independent claim 10 to include the limitations of claim 13 (claim 13 is canceled). Applicant also amends claim 14 to depend on claim 10 rather than claim 13.

**Summary:** Applicant respectfully holds that claims 10-12 and 14-18 as amended here are allowable, and respectfully asks the Examiner to allow these claims. Applicant sincerely thanks Examiner, and requests that the application now pass to issue.

Respectfully submitted,

By: 

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